

REMARKS

The Applicant thanks the Examiner for the careful consideration of this application. Claims 1-13 and 15-18 are currently pending. The Applicant has amended claim 1 to incorporate the subject matter of original claim 14. The Applicant has amended claims 5-13, 15-16 and 18 to correct informalities. Claim 14 is cancelled, without prejudice. Based on the foregoing amendments and the following remarks, the Applicant respectfully requests that the Examiner reconsider all outstanding rejections and that they be withdrawn.

I. Claim Rejections under 35 U.S.C. §101:

On page 2, the Office Action rejects claims 1-18 under 35 U.S.C. 101 as being directed to non-statutory subject matter. Specifically, the Examiner states that a claim directed toward a system for planning and tracking certification comprising a planner and a tracker which is not recited as having any corresponding structure in the specification and given its broadest reasonable interpretation can be construed as nothing more than software per se and is non-statutory.

The claims of the application have been amended to require the planning module and the tracking module to be executed at one or more workstations within the network to generate the planner and the tracker. Execution of planning and tracking modules at the one or more workstations provides the structural specificity required for meeting the requirements of 35 U.S.C. §101. Therefore, the Applicant respectfully requests reconsideration and withdrawal of this rejection.

II. Claim Rejections under 35 U.S.C. §103:

(I) On page 3, the Action rejects claims 1-7, 9-11, 13 and 14 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2003/0233242 to Wenger in view of U.S. Patent No. 6,606,480 to L'Allier et al. Based on currently amended claim 1, the Applicant respectfully requests reconsideration and withdraw of this rejection.

Wegner teaches a method and system for auditing academic credit for employment and training. L'Allier teaches an automated system and method for creating an individualized learning program. The Action essentially argues that the combination allows for individual planning and tracking of certification goals by a user. The claims of the application have been amended to require 1) a database storing at least one user profile that specifies at least one authority profile as is described in paragraph 00034 of the Specification as originally filed, and 2) a planning module that transmits a user-created certification plan to the certification authority specified in the student profile.

The Office Action cites paragraph 87 and 88 on page 6 of Wegner and aligns the verification of “accuracy of program, course, and equivalency databases” in Wenger with the planning module that “transmits the certification plan to the certification authority for approval” as set forth in amended claim 1. However, the verification disclosed in Wegner does not involve transmission of the certification plan to the certification authority as is required by the amended claims. Verification in Wenger relates simply to the fact that “program managers manage and maintain information about schools, courses and equivalencies” and may update and verify the accuracy of these databases electronically. *See Wenger, page 6, paragraph [0087].* These

updated databases may then be used as a research databases to assist in auditing personal transcripts and employment records against credits or program requirements for institutions of higher education or license programs. *See Wenger, Abstract*. There is no teaching or suggestion in the prior art of record of a user profile that specifies a certification authority and a planner that transmits a user-created certification plan to the certification authority specified in the user profile.

Claims 2-7, 9-11, and 13 depend from currently amended claim 1 and are patentable for at least the same foregoing reasons. Claim 14 is currently cancelled, without prejudice. Accordingly, the Applicant respectfully submits that claims 2-7, 9-11, and 13 are patentable over the Wenger and L'Allier patents.

(2) On page 7, the Action rejects claims 8, 15 and 16 under 35 U.S.C. §103(a) as being unpatentable over Wenger in view of L'Allier and in further view of U.S. Patent Publication No. 2003/0046265 to Orton et al. As is discussed above, currently amended claim 1 is patentable over Wegner in view of L'Allier. Claims 8, 15 and 16 depend from currently amended claim 1 and are therefore patentable for at least the same foregoing reasons.

(3) On page 9, the Action rejects claims 17 and 18 under 35 U.S.C. §103(a) as being unpatentable over Wenger in view L'Allier and in further view of Finaid.org (2002). As is discussed above, currently amended claim 1 is patentable over Wegner in view of L'Allier. Claims 17 and 18 depend from currently amended claim 1 and are therefore patentable for at least the same foregoing reasons.

CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. The Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. The Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance.

If the Examiner is of the opinion that the prosecution of this application would be advanced by a personal interview, the Examiner is invited to telephone undersigned counsel to arrange for such an interview. The Commissioner is authorized to charge any fee necessitated by this Response to our Deposit Account No. 22-0261. Prompt and favorable consideration of this Response is respectfully requested.

Respectfully submitted,

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